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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
TONY J. DANILOO,)
)
Defendant.)
)

No. 3-06-70408 MEJ

~~[PROPOSED]~~ ORDER EXTENDING TIME
FOR PRELIMINARY EXAMINATION

This matter was set for preliminary hearing (or arraignment) on August 23, 2006. On August 23, 2006, by letter to the Court, the parties jointly removed the matter from calendar. The parties now jointly request that the matter be reset for September 1, 2006.

The parties further stipulate and agree that the defendant has previously, in open court, made a knowing and voluntary waiver of his rights to a preliminary hearing within ten days of his initial appearance and to an indictment or information within thirty days of his arrest. The parties jointly request the Court to extend the ten-day time limit for preliminary

examination under Federal Rule of Criminal Procedure 5, and the thirty-day time limit for information or indictment under 18 U.S.C. § 3161(b), from August 23, 2006, to September 1, 2006.

Respectfully submitted,

KEVIN V. RYAN
United States Attorney

Date: August 31, 2006

/S/ Michael L. Wang
MICHAEL LI-MING WANG
Assistant United States Attorney

Date: August 31, 2006

/S/ Deborah Levine
DEBORAH LEVINE
Counsel for Defendant Tony J. Danilo

[PROPOSED] ORDER

Upon stipulation of the parties, and good cause appearing, IT IS ORDERED that this matter be continued from August 23, 2006, to September 1, 2006. IT IS FURTHER ORDERED, based upon the stipulation of the parties and the Court's previous findings in open court, that the ten-day time limit for preliminary examination under Federal Rule of Criminal Procedure 5, and the thirty-day time limit for information or indictment under 18 U.S.C. § 3161(b), be extended from August 23, 2006, to September 1, 2006. The Court specifically finds that the ends of justice served by granting the requested continuance outweigh the best interest of the public and the defendant in a speedy trial and in the prompt disposition of criminal cases.

DATED: Aug. 31, 2006

